

REMARKS

Reconsideration of this application in light of the present amendment and remarks is respectfully requested.

Claims 1-12 and 27-33 have been rejected.

Claims 13-26 were previously canceled.

Claim 27 has been amended.

Claims 1-12 and 27-33 are pending in this application.

Rejection under 35 U.S.C. §112, second paragraph

Claim 27 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 27 has been amended in accordance with the Examiner's directions to change all occurrences, subsequent to the first occurrence, of "a...first/second communication node" to "the...first/second communication node".

Inasmuch as this amendment follows the directions of the Examiner, applicant respectfully submits that this rejection has been overcome.

Rejection under 35 U.S.C. §103

Claims 1-6, 10-12, 27, 29 and 33 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Williams et al (US 5883891, hereinafter "Williams") in view of Ernst ("Network Mobility Support in IPv6", a PhD thesis to the Dept. of Mathematics and Computer Science at the Universite Joseph Fourier, France, October 29, 2001), hereinafter "Ernst". This rejection is respectfully traversed.

At this point, applicant wishes to reiterate that the second communication node sends a route message (care-of addresses) to the first communication node without any explicit request for said route message being received from the first node. Support for this can be found on page 22 lines 29-32, page 32 lines 8-25, and page 33 lines 1-11 (describing Fig. 13) which describes the periodic (thus without explicit request) sending of route message (extended binding update) from a second node (in a mobile network) to a first node (its correspondent node – CN).

Applicants respectfully disagree that Williams discloses or suggests this feature. In the Examiner's cite of col. 7 line 66 to col. 8 line 1, there is no mention that the echo route packet is

sent without a request. Nor does the Examiners cite of Fig. 5 lend any further support therefor. Instead Williams echo route packet service is performed only in response to a specific communication, which implies a request, unlike applicant's invention that uses periodic messaging, without regards to a specific request, if any.

Applicants also disagree with the Examiner's statement that applicant's argument says "that the first node is sending a request", since nowhere does applicant make such statement.

Applicants also disagree with the Examiner's statement that the words "sent proactively" are a needed element of claim 1, since "proactively" implies that an action is taken without input from elsewhere, which is exactly the same "without an explicit request".

From a technical standpoint it is clear that Williams and applicants' invention address two different problems, and that the details of the proposed solutions are also different. Williams looks into improving quality of VoIP communications by using data redundancy and packet replication and delivery along multiple paths (to better accommodate potential packet loss). Whereas, applicants' invention optimizes the routing path (number of hops) towards nodes located behind (one or more) mobile routers. Williams uses the "echo route" packet to build the intermediate address path from the source node to the destination node. However, Williams does not suggest or disclose intermediates nodes in the path being mobile routers.

In Williams, the "echo route" packet (used to compute the list of intermediate addresses) is sent by the first node to the second node (i.e. a request message...which is dynamically populated with intermediate addresses as it is routed towards the second node). The list of intermediate addresses (forming the path) is only sent by the second node (destination node) to the first node (source node) *in response to a request* from the first node to the second node (see details of the "echo route" packet at the top of col. 8). This is clearly different from applicants' invention, where the route message (containing the care-of route) can be (and is typically) sent proactively from the second node to the first node (i.e. without any request).

Ernst discloses mobile network routing which relies on the standard path reversal techniques where the first node receives addresses from a second node and just needs to reverse the list of addresses received to compute the path. Whereas, the path computation algorithm of the applicants' invention is different in the sense that; a) the list of addresses in the "route message" (i.e. binding update) sent to the first node does not need to be reversed; and b) all the

information to compute the path from first to second node is not included in the received “route message”, instead some additional information local to the first node is needed.

Moreover, Ernst has the same failing as Williams in that Ernst fails to suggest or disclose the second communication node sending a route message (care-of address) to the first communication node without any explicit request for said route message being received. Nor does Ernst provide a technique to optimize the routing path towards nodes located behind (one or more) mobile routers. Accordingly, Ernst is missing the same several elements as distinguished for Williams above.

Accordingly, applicant respectfully submits that amended claim 1 is not anticipated by the cited art, and is therefore allowable.

Independent claim 27 contains the same recitations as claim 1, in apparatus form, and is therefore deemed allowable as well for the same reasons.

Claims 2-6, 10-12 and 29-33 are dependent on claim 1, incorporated herein, and are therefore allowable as well for the same reasons.

Therefore, applicant requests that this rejection be withdrawn.

Rejection under 35 U.S.C. §103

Claim 7 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Williams in view of Ernst, as applied to claim 5 above, and further in view of Inoue (US 6,587,882). This rejection is respectfully traversed.

Claim 7 is dependent on amended claim 1, incorporated herein and previously distinguished above, and is therefore deemed allowable as well for the same reasons.

Accordingly, it is respectfully submitted that this rejection has been overcome.

Rejection under 35 U.S.C. §103

Claims 8 and 9 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Williams in view of Ernst, as applied to claim 5 above, and further in view of Baba et al (US 6,799,204). This rejection is respectfully traversed.

Claims 8 and 9 are dependent on amended claim 1, incorporated herein and previously distinguished above, and are therefore deemed allowable as well for the same reasons.

Accordingly, it is respectfully submitted that this rejection has been overcome.

Rejection under 35 U.S.C. §103

Claim 28 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Williams in view of Ernst, and further in view of Jinzaki (US 2001/0042070). This rejection is respectfully traversed.

Independent claim 28 contains all the same recitations as claim 1, and is therefore deemed allowable as well for the same reasons.

Accordingly, it is respectfully submitted that this rejection has been overcome.

Rejection under 35 U.S.C. §103

Claim 30 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Williams in view of Ernst, as applied to claim 1 above, and further in view of Kajiwara (US 2002/0015386). This rejection is respectfully traversed.

Claim 30 is dependent on amended claim 1, incorporated herein and previously distinguished above, and is therefore deemed allowable as well for the same reasons.

Accordingly, it is respectfully submitted that this rejection has been overcome.

Rejection under 35 U.S.C. §103

Claims 31 and 32 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Williams in view of Ernst, as applied to claim 1 above, and further in view of Callon et al (US 5,854,899). This rejection is respectfully traversed.

Claims 31 and 32 are dependent on amended claim 1, incorporated herein and previously distinguished above, and are therefore deemed allowable as well for the same reasons.

Accordingly, it is respectfully submitted that this rejection has been overcome.

The other references of record have been reviewed and applicant's invention is deemed patentably distinct and nonobvious over each taken alone or in combination.

For the foregoing reasons, applicants respectfully request that the above rejections be withdrawn.

Inasmuch as this amendment distinguishes all of the applicants' claims over the prior art references, for the many reasons indicated above, passing of this case is now believed to be in order. A Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection or through an Examiner's amendment.

Authorization is hereby given to charge any fees necessitated by actions taken herein to Deposit Account 50-2117.

Respectfully submitted,
Janneteau et al.

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